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IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1971

No. ——— 71-1184

HARRY ROADEN, - - - - - - Petitioner

versus

COMMONWEALTH OF KENTUCKY, - Respondent

PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF APPEALS OF KENTUCKY

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IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1971

No. _____

HARRY ROADEN, - - - - - *Petitioner*

v.

COMMONWEALTH OF KENTUCKY, - *Respondent*

PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF APPEALS OF KENTUCKY

Petitioner prays that a writ of certiorari issue to review the judgment herein of the Court of Appeals of Kentucky entered in the above entitled case on December 17, 1971.

Citation to Opinion Below

The opinion of the Court of Appeals of Kentucky is reported at 473 S. W. 2d 814, and printed in the Appendix, *infra*, pp. 21-38. It affirmed the judgment of the Pulaski Circuit Court, which is printed in the Appendix, *infra*, pp. 25-30.

Jurisdiction

The judgment of the Court of Appeals of Kentucky was entered on December 17, 1971. The Court of Appeals of Kentucky denied a rehearing on December 17, 1971. The jurisdiction of this Court rests upon 28 U.S.C. Section 1257(3).

Questions Presented

1. In the absence of a prior adversary hearing, is the seizure incident to arrest of allegedly obscene material, a violation of due process of law?
2. In an obscenity prosecution, do the First and Fourteenth Amendments require proof of a concern for juveniles, invasion of privacy, or pandering?

Statute Involved

Kentucky Revised Statutes, Chapter 436, Section 101 provide in pertinent part as follows:

436.101 Obscene matter, distribution, penalties, destruction.

(1) As used in this section:

(a) "Distribute" means to transfer possession of, whether with or without consideration.

(b) "Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or

any other articles, equipment, machines or materials.

(c) "Obscene" means that to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest, a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters.

(d) "Person" means any individual, partnership, firm, association, corporation, or other legal entity.

(2) Any person who, having knowledge of the obscenity thereof, sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, or in this state prepares, publishes, prints, exhibits, distributes, or offers to distribute, or has in his possession with intent to distribute or to exhibit or offer to distribute, any obscene matter is punishable by fine of not more than $1,000 plus five dollars for each additional unit of material coming within the provisions of this chapter, which is involved in the offense, not to exceed ten thousand dollars, or by imprisonment in the county jail for not more than six months plus one day for each additional unit of material coming within the provisions of this chapter and which is involved in the offense, such basic maximum and additional day not to exceed 360 days in the county jail, or by both such fine and imprisonment. If such person has previously been convicted of a violation of this subsection, he is punishable by fine of not more than $2,000 plus five dollars for each additional unit of material coming

within the provisions of this chapter, which is involved in the offense, not to exceed $25,000, or by imprisonment in the county jail for not more than one year, or by both such fine and such imprisonment. If a person has been twice convicted of a violation of this section, a violation of this subsection is punishable by imprisonment in the state penitentiary not exceeding five years.

* * * * * * *

(8) The jury, or the court, if a jury trial is waived, shall render a general verdict, and shall also render a special verdict as to whether the matter named in the charge is obscene. The special verdict or findings on the issue of obscenity may be: "We find the ..... (title or description of matter) to be obscene," or "We find the ..... (title or description of matter) not to be obscene," as they may find each item is or is not obscene.

(9) Upon the conviction of the accused, the court may, when the conviction becomes final, order any matter or advertisement, in respect whereof the accused stands convicted, and which remains in the possession or under the control of the Attorney General, Commonwealth's attorney, county attorney, city attorney or their authorized assistants, or any law enforcement agency, to be destroyed, and the court may cause to be destroyed any such material in its possession or under its control.

Statement of the Case

On October 21, 1970, the petitioner was convicted following a jury trial for violation of Kentucky Revised Statutes Chapter 436, Section 101. He was sentenced to pay a fine of $1,000 and to serve six months in the Pulaski County Jail. A timely appeal was taken to the Court of Appeals of Kentucky, and the conviction was affirmed.

The facts upon which the conviction was based are as follows:

On the night of September 29, 1970, the Sheriff of Pulaski County, Kentucky, purchased a ticket to Highway 27 Drive-In Theatre located south of the City of Somerset, on U. S. Highway 27 in Pulaski County, Kentucky (T. 20, 31).[1] Being exhibited at the theatre that evening was a film entitled "Cindy and Donna" (T. 21). After viewing the entire film, the Sheriff proceeded to the projection booth and there arrested petitioner, the manager of the theatre, upon a charge of exhibiting an "obscene" film to the general public (T. 22). At the same time and place the Sheriff seized the film consisting of five reels in two metal canisters (T. 22, 25-27, 31).

On the day following the arrest of the petitioner and seizure of the film, the Sheriff appeared before the Grand Jury of Pulaski County, and as a result, an indictment was returned charging petitioner with the offense of which he was convicted (T. 22).

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[1] "T" refers to the transcript of the trial in the Circuit Court of Pulaski County. Excerpts from this transcript are printed in the Appendix, *infra*, pp. 28-29, 32, 35-36.

Upon the trial in Pulaski Circuit Court, the Sheriff and one of his deputies were the only witnesses for the prosecution (T. 20-31, 34-37). The Sheriff was permitted to give a brief description of the film stating that it revealed the nakedness of the human body and displayed "intimate love scenes" (T. 24). The Sheriff further stated that upon viewing the film, he, on his own, determined that it appealed to prurient interest, such determination on his part leading to the arrest and seizure (T. 27). Admittedly, the Sheriff had no warrant when he made the arrest and seizure, and there had been no hearing of any kind before a judicial officer and no adversary hearing to focus on the question of obscenity (T. 31, 32, 34).

The Deputy Sheriff testified that the Sheriff had ordered him to "keep an eye" on the theatre (T. 35). This witness stated that he viewed only the final thirty minutes of the film "Cindy and Donna" from a vantage point on a road outside the theatre (T. 35, 36).

Following the testimony of the Deputy Sheriff, the jury was permitted to view the film at a local indoor theatre (T. 41).

Petitioner testified in his own behalf (T. 46). He stated that no juveniles had been admitted to see the film, and that he had received no complaints about the film until it was seized by the Sheriff (T. 48, 53).

How the Federal Questions Were Raised

The question of illegal seizure of the film in violation of due process of law because there was no prior adversary hearing was raised by a motion to suppress the film as evidence filed eight days before the trial and heard by the circuit judge four days before the trial (R. 6-8).[2] This motion is printed in the Appendix, *infra*, pp. 33-34. The motion to suppress was overruled by the Pulaski Circuit Court on the first day of petitioner's trial (T. 4). The motion to suppress was renewed at the time the film was introduced in evidence, and again overruled by the Circuit Court (T. 26, 27). Excerpts from the transcript of petitioner's trial which embody the rulings of the Pulaski Circuit Court upon the motion to suppress the evidence are printed in the Appendix, *infra*, pp. 33-34. The issue was thereafter raised upon appeal to the Court of Appeals of Kentucky by assignment of the denial of the motion to suppress as error. The "Statement of the Questions Presented" contained in petitioner's Brief before the Court of Appeals of Kentucky is printed in the Appendix, *infra*, p. 37. The question was again raised in the Court of Appeals of Kentucky in petitioner's Petition for Rehearing in that Court. The "Statement of the Questions Presented" in petitioner's Petition for Rehearing before the Court of Appeals of Kentucky is

[2] "R" refers to the transcript of pleadings prepared by the Circuit Court Clerk of Pulaski County in connection with the indictment and trial of petitioner. This transcript is separate from the transcript of evidence received upon the trial which is referred to herein as "T".

printed in the Appendix, *infra*, p. 37. The rejection by the Court of Appeals of Kentucky of this assignment of error is shown by the Opinion of the Court of Appeals of Kentucky contained in the Appendix hereto at pp. 25-30, and the Mandate of the Court of Appeals of Kentucky contained in the Appendix hereto at p. 31.

The question whether the prosecution was required by the First and Fourteenth Amendments to prove concern for juveniles, invasion of privacy, or pandering was raised at the close of the evidence upon the trial in circuit court by way of motion for a directed verdict as follows (T. 55):

> "Defendant further moves for a directed verdict for the reason there is no showing in this case that the showing of the film in question had any effect on juveniles, that there was any pandering involved or any invasion of privacy as required by Redrup v. State of N. Y. U. S. 386-767 which is cited by the Supreme Court in overruling Cain v. Commonwealth in 90 Supreme Court."

This motion was overruled by the Pulaski Circuit Court, the trial judge stating simply that he did not think the question possessed any merit (T. 56). This issue was thereafter raised upon appeal to the Court of Appeals of Kentucky by assignment of the denial of the motion for a directed verdict as error. The question was treated in petitioner's Brief before the Court of Appeals of Kentucky, and again in petitioner's Petition for Rehearing in that Court as shown by the Statement of the Questions Presented in both the Brief and

Petition for Rehearing printed in the Appendix, *infra*, p. 37. Specific reference was made to Redrup v. New York, 386 U. S. 767, and that case throughly discussed in arguments to the Court of Appeals of Kentucky in both documents. The rejection by the Court of Appeals of Kentucky of this assignment of error is shown by the Opinion of the Court of Appeals of Kentucky contained in the Appendix hereto at pp. 25-30, and the Mandate of the Court of Appeals of Kentucky contained in the Appendix, *infra*, at p. 31.

REASONS FOR GRANTING CERTIORARI

I. The Denial of an Adversary Hearing Prior to Seizure of the Film in This Case is Inconsistent With the Decisions of this Court, and Amounts to a Flagrant Violation of Due Process of Law.

Petitioner's conviction has received wide publicity. The conviction is a giant step in a march backward for all mankind. If the conviction stands local law enforcement officers all over the country will be greatly emboldened to carry out additional unconstitutional seizures, and the liberty of the individual will erode to naught. The action of the Sheriff of Pulaski County, Kentucky, in seizing this film upon his own determination of its obscenity without any warrant, without any prior adversary hearing, and without any prior judicial scrutiny at all clearly abridged rights guaranteed to petitioner against state action by the First and Fourth Amendments through the Fourteenth Amendment of the Constitution of the United States of America. The decision of the Court of Appeals of Kentucky that the

seizure was proper rests in direct contravention of clear pronouncements of this Court that an adversary hearing must precede the seizure of allegedly obscene material. Thus in Marcus v. Search Warrant of Property, 367 U. S. 717 (1961), it is pointed out that constitutional protections for free expression limit a State's power to suppress obscenity and,

> "It follows that a State is not free to adopt whatever procedures it pleases for dealing with obscenity as here involved without regard to the consequences for constitutionally protected speech."

Moreover:

> "We believe that Missouri's procedures as applied in this case lacked the safeguards which due process demands to assure non-obscene material the constitutional protection to which it is entitled. Putting to one side the fact that no opportunity was afforded the appellants to elicit and contest the reasons for the officer's belief, or otherwise to argue against the propriety of the seizure to the issuing judge, still the warrants issued on the strength of the conclusory assertions of a single police officer, without any scrutiny by the judge of any materials considered by the complainants to be obscene."

And further:

> "* * * discretion to seize allegedly obscene materials cannot be confided to law enforcement officials without greater safeguards than were here operative. Procedures which sweep so broadly and with so little discrimination are obviously de-

> ficient in techniques required by the Due Process Clause of the Fourteenth Amendment to prevent erosion of the constitutional guarantee."

Even if a judicial inquiry precedes the seizure, it is still not enough to satisfy "due process" requirements for protection of free expression. Thus in A Quantity of Copies of Books v. Kansas, 378 U. S. 205 (1964), an *ex parte* inquiry by a judge prior to issuance of a warrant directing seizure of a stack of paperback novels was held to be constitutionally deficient. This Court said:

> "For if seizure of books precedes an adversary determination of their obscenity, there is danger of abridgement of the right of the public in a free society to unobstructed circulation of nonobscene books."

A seizure of materials alleged to be obscene is subject to much more stringent scrutiny under the Constitution than a seizure of ordinary contraband such as drugs or gambling equipment. In such instances because the right of freedom of expression is involved the constitutional procedures to which the accused is entitled, are much more complicated. To the end that the accused is not deprived of due process, a law enforcement officer cannot take it upon himself to determine that a book or film is obscene and proceed to seize it. There must be a prior adversary proceeding. Such is the teaching of the *Marcus* and *Books* cases.

But the Court of Appeals of Kentucky in its Opinion says that the *Marcus* and *Books* decisions "relate

to seizure of allegedly obscene material for destruction or suppression, not to seizures incident to an arrest for possessing, selling, or exhibiting a specific item" (Appendix, *infra*, p. 26). Those decisions are thus distinguished by the Kentucky Court on the basis that the showing of this film was a crime committed in the presence of the arresting officer. There is no logical basis for such a distinction. In Bethview Amusement Corp. v. Cahn, 416 F. 2d 410 (2d Cir. 1969) it was recognized that "a motion picture like a book, is entitled to the protection of the first amendment. * * * That protection includes the requirement that an adversary hearing be provided before the allegedly obscene works can be seized." The Court in Bethview went on to point out that there can be no difference in due process requirements between the seizure of a large number of books and the seizure of the single print of a motion picture film:

> "We are told that the Bethview Theater has 300 seats. Assuming half of them to be occupied for four showings of a film each day for a week, over 4,000 individuals would see the film. Preventing so large a group in the community from access to a film is no different in the light of first amendment rights from preventing a similarly large number of books from being circulated."

On this same reasoning the distinction made by the Kentucky Court of Appeals between this case and the *Marcus* and *Books* cases is completely unreasonable. In Cambist Films, Inc. v. Duggan, 420 F. 2d 687 (3rd Cir. 1969) the United States Court of Appeals, Third

Circuit rejected the notion that the seizure of the film in that case was lawful if made incident to a lawful arrest without a warrant for a crime committed in the presence of the arresting officer, saying:

> "We cannot agree with the basic premise of the district court that police officers may, after viewing a motion picture themselves, determine whether it is obscene and, if they determine it to be obscene, proceed to arrest the exhibitor and seize the film without a warrant. On the contrary, it is now settled that the First and Fourteenth Amendments to the Constitution require that there be an adversary judicial hearing and determination of obscenity before a warrant may be issued to search and seize alleged obscene materials. Marcus v. Search Warrants, 1961, 367 U. S. 717, 81 S. Ct. 1708, 6 L. Ed. 2d 1127; A Quantity of Copies of Books v. State of Kansas, 1964, 378 U. S. 205, 84 S. Ct. 1723, 12 L. Ed. 2d 809. Such a hearing and determination is *a fortiori*, required where officers, as in this case, seize without a search warrant materials alleged by them to be obscene. For such a non-judicial *ex parte* determination does not afford the owner due process of law."

The same view of this question has been expressed by a number of other United States Courts of Appeals in the following cases: Astro Cinema Corp. v. Mackell, 422 F. 2d 293 (2d Cir. 1970); Demich, Inc. v. Ferdon, 426 F. 2d 643 (9th Cir. 1970); Metzger v. Pearcy, 393 F. 2d 202 (7th Cir. 1968); Tyrone, Inc. v. Wilkinson, 410 F. 2d 639 (4th Cir. 1969) Cert. den., 396 U. S. 985 (1969). These authorities attest there is no valid rea-

son for not applying the rationale of *Books* and *Marcus* to the instant case. While in the ordinary case a search incident to an arrest is not unreasonable if the arrest itself is lawful, the First Amendment compels more restrictive rules in cases in which the arrest and search relate to alleged obscenity. Determination by law enforcement officers of the status of films whether obscene or not is not enough protection to the owner to constitute due process. It is incongruous to condemn, as vesting too abundant discretion in the enforcing officer, a search and seizure made on an overly broad warrant while at the same time permitting officers an unfettered discretion in seizures effected without a warrant under the guise of being incident to arrest. In both circumstances constitutionally compelled procedural safeguards are lacking. The Court of Appeals of Kentucky erred most flagrantly in concluding that an adversary hearing was not required before seizure of the film in question.

In Mapp v. Ohio, 367 U. S. 643 (1961) it was established that material seized by *state* officers in violation of the Due Process Clause of the Fourteenth Amendment is not admissible as evidence in a *state* court. Through the Due Process Clause of the Fourteenth Amendment both the First Amendment protection of free speech and the Fourth Amendment protection against unreasonable searches and seizures are restrictions upon the states. Gitlow v. New York, 268 U. S. 652 (1925); Ker v. California, 374 U. S. 23 (1963). Motion pictures are protected by the First and Fourteenth Amendments from state action that would

abridge freedom of expression. Joseph Burstyn, Inc. v. Wilson, 343 U. S. 495 (1952). Application of an obscenity law to suppress a motion picture requires ascertainment of the "dim and uncertain line" that often separates obscenity from constitutionally protected expression. Jacobellis v. Ohio, 378 U. S. 184 (1964).

In Lee Art Theatre v. Virginia, 392 U. S. 636 (1968) this Court reversed the conviction of a motion picture operator charged with showing obscene pictures in violation of Virginia statutes. There, seizure of the films was carried out on the basis of an affidavit of a police officer which stated only the titles of the motion pictures and that the officer had determined from personal observation of them and of the billboard in front of the theatre, that the films were obscene. The Court pointed out that admission of the films in evidence required reversal of the petitioner's conviction. In this case the petitioner sought suppression of the film before his trial and again objected to its admission at the trial. Upon the authority of Lee Art Theatre and the other decisions of this Court herein referred to, admission in this case of the illegally seized film requires reversal of petitioner's conviction.

Borderline speech must be protected by the application of elaborate procedures prior to suppression via seizure. Such procedures are impossible to follow in a seizure incident to arrest such as occurred in this case. Only a tenacious adherence to such procedures assures a free society that the sensitive determination of obscenity will be made judicially and not *ad hoc* by police officers in the field. Here, no prior procedures

whatsoever were followed. The petitioner has been denied due process of law as a result of the illegal seizure of the film and erroneous admission of it in evidence. Certiorari should be granted to vindicate petitioner's rights and to redress the flagrant violation of due process of law which has been sanctioned by the Kentucky Court of Appeals.

II. The Prosecution Failed to Prove a Single One of the Essential Elements of an Obscenity Prosecution as Enunciated in Redrup v. New York, and the Important Federal Question as to Whether Such Proof is Constitutionally Required Was Decided by the Court of Appeals of Kentucky in a Way Not in Accord With Applicable Decisions of This Court.

In Redrup v. New York, 386 U. S. 767, reh. den. 388 U. S. 1924 (1967) this Court said:

> "In none of the cases was there a claim that the statute in question reflected a specific and limited state concern for juveniles (citation omitted). In none was there any suggestion of an assault upon privacy by publication in a manner so obtrusive as to make it impossible for an unwilling individual to avoid exposure to it (citation omitted). And in none was there evidence of the sort of 'pandering' which the Court found significant in Ginzburg v. United States, 383 U. S. 463, 16 L. Ed. 2d 31, 86 S. Ct. 942."

The Court of Appeals of Kentucky in its Opinion, Appendix, *infra,* pp. 25-30, completely ignored the Redrup decision, and did not cite it or refer to it in any

way. However, the Redrup decision is of paramount importance not only because in it there is a redirection of emphasis on the elements of obscenity in the legal and constitutional sense, but because of the very reliance placed on the decision by this Court in a long line of per curiam reversals which have occurred subsequently.[3] The divergent attitudes of members of this Court were noted in Redrup, but the Court concluded that whatever constitutional view was brought to bear on the cases there under consideration it was clear the judgments could not stand. Examination of the opinion of the state courts in the majority of the cases summarily reversed by this Court with citation to Redrup, makes it clear that the prosecution in an obscenity case will fail unless there is a showing juveniles have been exposed to the material, there was pandering, or someone was unwillingly exposed to the material. In the state court cases so reversed, none of these elements was shown, and they are absent in this case. Redrup provides a sensible test consonant with the First and Fourteenth Amendments in that it protects the average normal adult in his right to read, view, and hear what he pleases. Any other rule would reduce the rights of adults to read, view and hear only what is fit for children. This view of Redrup is fortified by a number of other decisions which have applied its test. Grant

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[3]A few of these per curiam reversals are: Keney v. New York, 388 U. S. 440 (1967); Friedman v. New York, 388 U. S. 441 (1967); Cobert v. New York, 388 U. S. 443 (1967); Ratner v. California, 388 U. S. 442 (1967); Felton v. City of Pensacola, 390 U. S. 340 (1968); Robert Arthur Management Corp. v. Tennessee ex rel canale, 389 U. S. 578 (1968); Carlos v. New York, 396 U. S. 119 (1969); and Cain v. Kentucky, 397 U. S. 319 (1970).

v. United States, 380 F. 2d 748 (9th Cir. 1967); Luros v. United States, 389 F. 2d 200 (8th Cir. 1968); People v. Bonanza Printing Co., 76 Cal. Rptr. 379 (1968); State v. J. L. Marshall News Co., 13 Ohio Misc. 60, 232 N. E. 2d 435 (1968); Poulos v. Rucker (M.D. Ala.), 288 F. Supp. 305 (1968); People v. Stabile, 58 Misc. 2d 905, 296 N.Y.S. 2d 815 (1969); Olsen v. Doerfler, 14 Mich. App. 428, 165 N. W. 2d 648 (1968); and United States v. 4,400 Copies of Magazines, 276 F. Supp. 902 (D.C. Md. 1967).

It is clear that under Redrup the persons to whom the allegedly obscene material is offered commercially, and the methods by which it is offered, are factors to be considered in determining whether dissemination of the material is protected by the First and Fourteenth Amendments. Redrup thus approaches the problem by reference to the circumstances under which publication of the material might constitutionally be restricted. If none of those circumstances are present, as is true in this case, then the obscenity prosecution must fail. In this case there is not a single syllable of evidence that any juveniles saw the film "Cindy and Donna". The uncontradicted testimony of the appellant was that scrupulous care was taken to avoid the admission of any juveniles into the theatre to see this film (T. 48, 53). The Sheriff of Pulaski County observed no juveniles present, and there are no circumstances shown in this record from which it could be inferred that any juveniles viewed the film (T. 33). The prosecution did not even contend that any juveniles viewed the film. Therefore, any "limited state concern" for juveniles has not

been impugned by the exhibition of this motion picture. At no place in the record can any one find any evidence that a single person was unwillingly exposed to this film or that the privacy of a single soul was invaded by its exhibition. There is no evidence in this record to indicate there was any "pandering" of this film to the public. There is not even any evidence that it was advertised in the newspapers or on the radio.

The paramount importance of this case is beyond expression in words. Petitioner's constitutional rights have been mercilessly ignored by the courts of Kentucky. It appears an exercise in futility to assert federal constitutional rights in the tribunals of Kentucky. The conviction is grossly inconsistent with Redrup. If this conviction stands, there will be many others like it, and this nation will be a long way down the road to a police state. We implore the Court to grant certiorari and apply the constitutional safeguards necessary to vindicate petitioner.

CONCLUSION

For the reasons set forth above, a writ of certiorari should be granted to review the judgment of the Court of Appeals of Kentucky.

Respectfully submitted,

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Attorney for Petitioner

March, 1972

Judgment of the Pulaski Circuit Court

PULASKI CIRCUIT COURT

Regular October Term
8th day of the term
October 20, 1970

Commonwealth of Kentucky, - - - *Plaintiff,*

v.

Harry Roaden, - - - - - - - *Defendant.*

ORDER # 4432 Showing Obscene Picture

This day this cause came on for trial. The defendant was represented by Hon. Phillip Wicker and Hon. M. D. Harris, and he entered a plea of not guilty to the above charge. The following jury was empaneled and sworn to try the case:

Lewis Ledbetter	Mrs. Ernest Brock
Neal Childers	Augusta Latham
Lynn T. Minter	Eugene Tucker
Carl Helton	Orville Alexander
Walter Clines	Paul Elliott
Mrs. Donald Pullen	Mrs. Henry Gilmore

The Commonwealth's Attorney read the indictment and stated the plea of the defendant to the jury. The Commonwealth presented all of its evidence and announced closed, following which the defendant began introducing his evidence, and being unable to finish it was ordered that court adjourn until 9:00 A. M. October 21st, 1970.

By agreement of counsel for Commonwealth and counsel for defendant the jury was permitted to go to their respective homes, after the court gave to the jurors all of the admonitions required by law.

/s/ Lawrence S. Hail, Judge
Pulaski Circuit Court